

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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J & J SPORTS PRODUCTIONS, INC.,

Plaintiff,

-against-

RICHARD BOYD, individually and d/b/a
RICHIE B'S DIAMOND CLUB a/k/a
RICHIE B'S DIAMOND SPORTS BAR; and
R & B FOOD & BEVERAGE CORP., an unknown
business entity d/b/a RICHIE B'S DIAMOND
CLUB a/k/a RICHIE B'S DIAMOND SPORTS
BAR,

Defendants.
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VITALIANO, D.J.

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
★ JUN 07 2019 ★

BROOKLYN OFFICE

ORDER

2:17-CV-6822 (ENV)(AYS)

Plaintiff J & J Sports Productions, Inc. filed this action, on November 21, 2017, against defendants Richard Boyd and R & B Food & Beverage Corp., alleging violations of the Communications Act of 1934, 47 U.S.C. § 605 *et seq.*, and the Cable and Television Consumer Protection and Competition Act of 1992, 47 U.S.C. § 553 *et seq.* Following defendants' failure to appear and defend this action, Magistrate Judge Anne Y. Shields recommended that default judgment be entered against them, jointly and severally, in the total amount of \$8,400, and that plaintiff be granted leave to move for attorney's fees. Dkt. 13. The Court adopted those recommendations and referred plaintiff's subsequent unopposed motion for attorney's fees to Judge Shields, who issued a second Report and Recommendation (the "R&R") on April 30, 2019. *See* Dkts. 15-17; Feb. 25, 2019 Order. In the R&R, Judge Shields recommends the award of \$2,707.75 in attorney's fees and \$2,220.57 in costs to plaintiff, for a total of \$4,928.32. R&R at 5. Notice of time to object to the R&R was given, but no party has objected within the time to do so. *Id.* at 5-6; Certificate of Service, Dkt. 18.

Discussion

Where no party has objected to a report and recommendation, clear-error review applies. *See Dafeng Hengwei Textile Co. v. Aceco Indus. & Commercial Corp.*, 54 F. Supp. 3d 279, 283 (E.D.N.Y. 2014). Having carefully reviewed the R&R in accordance with this standard, the Court finds it to be correct, well-reasoned, and free of any clear error. The Court, therefore, adopts the R&R, in its entirety, as the opinion of the Court.

Conclusion

For the foregoing reasons, the R&R is adopted in its entirety as the opinion of the Court. Plaintiff is awarded \$2,707.75 in attorney's fees and \$2,220.57 in costs, for a total of \$4,928.32.

The Clerk of Court is directed to enter judgment for plaintiff accordingly and to close this case.

So Ordered.

Dated: Brooklyn, New York

May 31, 2019

/s/ USDJ ERIC N. VITALIANO

ERIC N. VITALIANO

United States District Judge